

DOWNEY BRAND LLP

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

CROWN BUILDING MAINTENANCE,  
INC., a California Corporation, dba ABLE  
BUILDING MAINTENANCE, dba ABLE  
SERVICES, MARK KELLY, and  
MICHAEL McGEE

Petitioner,

v.

SBM SITE SERVICES, LLC, an Oregon  
Limited Liability Company

Respondent.

CASE NO. 3:10-mc-80250 WHA

(MISC: Action Pending in the United States  
District Court for the District of Colorado, Case  
No. 10-CV-00385-REB-BNB)

**ORDER**

Pursuant to Local Rule 37-1(b) the parties appeared on October 13, 2010, at 1:30 p.m., before the Honorable William H. Alsup of the above entitled court. William R. Warne and Cassandra M. Ferrannini appeared on behalf of Respondent SBM Site Services, LLC ("SBM"). Robert A. Bleicher appeared on behalf of Petitioners Crown Building Maintenance, Inc., d/b/a Able Building Maintenance, d/b/a Able Services ("Able"), Mark Kelly, and Michael McGee (collectively "Petitioner"). Michelle E. Cormier appeared on behalf of John Garrett.

Having considered the arguments of the parties, IT IS HEREBY ORDERED that the witnesses Michael McGee, Mark Kelly, and Able will appear for their depositions on October 14 and 15, 2010, as scheduled by the parties. The scope of the examinations shall be limited to the

following topics:

1. What Mr. Garrett said and did prior to coming to work for Able;
2. The circumstances surrounding Able's hiring of Mr. Garrett;
3. Any and all references Mr. Garrett has made regarding SBM; and
4. All testimony and evidence of documents and records and trade secrets that originated at SBM.

The examination shall not include any inquiry regarding Able's operations or operating procedures that may arguably be a trade secret.

IT IS SO ORDERED:

Dated: October 14, 2010



Hon. William H. Alsup  
United States District Court Judge

APPROVED AS TO FORM:

DATED: October 14, 2010

DOWNEY BRAND LLP

By: /s/ Cassandra M. Ferrannini

WILLIAM R. WARNE  
CASSANDRA M. FERRANNINI  
Attorneys for Respondent/Plaintiff  
SBM Site Services, LLC,  
an Oregon Limited Liability Company

DATED: October 14, 2010

CARR, MCCLELLAN, INGERSOLL, THOMPSON  
& HORN

By: /s/ Robert A. Bleicher (as authorized on 10/14/10)

ROBERT A. BLEICHER  
LORI A. LUTZKER  
Attorneys for Petitioners  
Crown Building Maintenance, Inc., a California  
Corporation, dba Able Building Maintenance, dba  
Able Services, Mark Kelly, and Michael McGee

DATED: October 14, 2010

KAMLET REICHERT, LLP

By: /s/ Michelle E. Cormier (as authorized on 10/14/10

DENISE RILEY  
MICHELLE E. CORMIER  
Attorneys for Defendant  
John Garrett, an Individual

DOWNEY BRAND LLP